

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish
Policies and Cost Recovery Mechanisms for
Generation Procurement and Renewable
Resource Development.

Rulemaking 01-10-024
(Filed October 25, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING PREHEARING
CONFERENCE AND MODIFYING SCOPE OF TESTIMONY**

Based on conversations at the March 11, 2003 workshop on Establishing Standard Contract Terms and Conditions, the Administrative Law Judge's (ALJ) Ruling Setting Procedural Schedule issued February 21, 2003 is modified as follows.

First, parties will not be preparing testimony on the issue of Establishing Standard Contract Terms and Conditions. Instead, parties will prepare and serve a Supplement to their testimony. (Service should be concurrent with the testimony on the other issues, which remains due on March 27, 2003.¹ The Supplement is not to be filed.) The Supplement is limited to the issue of Establishing Standard Contract Terms and Conditions, and should state the party's legal position regarding the scope of Commission action that is statutorily required by the June 30, 2003 deadline, and should also generally describe the party's substantive position on this issue. The description of the party's substantive position should be brief, and may be preliminary or conditional. No

¹ The prior exhortation for joint testimony on uncontested issues remains in effect.

cross-examination on the Supplement will be permitted, although the ALJ reserves the right to ask clarifying questions.

Second, a Prehearing Conference is set for Thursday, April 3, 2003, at 10 a.m., in the Commission Courtroom, 505 Van Ness Avenue, San Francisco, California. At the Prehearing Conference, the status of party working group progress on the issue of Establishing Standard Contract Terms and Conditions will be discussed, as will the procedure for further addressing and resolving this issue. In addition, housekeeping matters relating to the evidentiary hearings (including witness scheduling and cross-examination estimates) and comparison exhibit will be discussed.

IT IS RULED that:

1. Parties will not prepare and serve testimony on the issue of Establishing Standard Contract Terms and Conditions.
2. Parties will prepare and serve a Supplement to their testimony concurrently with their testimony.
3. The Supplement shall address only the issue of Establishing Standard Contract Terms and Conditions, as described above.
4. No cross-examination on the Supplement will be permitted.
5. A Prehearing Conference is set for Thursday, April 3, 2003, at 10 a.m., in the Commission Courtroom, 505 Van Ness Avenue, San Francisco, California.

Dated March 13, 2003, at San Francisco, California.

/s/ PETER V. ALLEN

Peter V. Allen
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference and Modifying Scope of Testimony on all parties of record in this proceeding or their attorneys of record.

Dated March 13, 2003, at San Francisco, California.

/s/ CLAIRE JOHNSON

Claire Johnson

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.